IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 11769 of 2004

Between:

Varikuti Subba Rao Ramaiah
R/o.7-23, Ambedkhar Nagar Valluru Village, Tangutur Mandal
Prakasam District.

..... PETITIONER

AND

1. The District Collector Prakasam District at Ongole.
2. The Superintendent of Police, Ongole, Prakasham District.
3. The Valluru Gram Panchayat Valluru, Tangutur (M) Prakasam District rep. by its Secretary.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not prohibiting the Heavy Loaded Trailers and Transport of Granites to pass through the mud road in S.C/S.T Colony, Valluru, Tanguturu (M) Prakasam District as arbitrary, illegal, unjustified and in violation of Art.14 and 21 of the Constitution of India and consequently direct the respondents to prohibit movement of Trailers and its transport of Granite Stones on the mud road in S.C/S.T Colony, Valluru Tangutur (M) Prakasam District.

Counsel for the Petitioner:MR.SRINIVASULU KURRA

Counsel for the Respondent No.1: GP FOR REVENUE
Counsel for the Respondent No.2: GP FOR HOME
Counsel for the Respondent No.3: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Respondents have not filed reply affidavits. It is stated by the learned counsel for the respondents that papers are not available in any of the offices of the Government pleaders.

Copies of the writ petition have now been supplied to the counsel for the respondents.

A very innocuous prayer has been made in the petition. It is stated that S.C. and S.T. colony in Valluru area of Prakasham District is a residential area with 800 persons residing thereat and belonging to lower strata of the society. There is a mud road inside the colony and recently heavy trailers with 70 to 80 tonnes of granite stones have started passing through the said road thereby causing immense hardship to the residents of the locality. The petitioner, therefore, seeks a direction against the respondents to ensure that the lives of the residents of the said colony are not exposed to danger. The petitioner further stated that he has preferred a representation to the respondents but without any result.

Considering the facts and circumstances of the case, we are of the view that this petition can be disposed of by directing the respondents to treat this writ petition as a representation on behalf of the petitioner and examine the same and take

proper decision thereon in accordance with law and in case any remedial measures are required to be taken, to ensure that such remedial measures also are duly taken. Respondents will take appropriate decision on the representation within a period of four weeks from the date of receipt of a copy of this order.

Ordered accordingly and the writ petition stands disposed of.

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DEVINDER GUPTA, CJ

12-8-2004

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C.V.RAMULU, J

Tvr

To

1. The District Collector Prakasam District at Ongole.
2. The Superintendent of Police, Ongole, Prakasham District.

3. The Secretary, Valluru Gram Panchayat Valluru, Tangutur (M) Prakasam District.

4. 2 CCs to the Govt. Pleader for Home, High Court Buildings, Hyderabad (OUT).

5. 2 CCs to the Govt. Pleader for Revenue, High Court buildings, Hyderabad (OUT).

6. 2 CCs to the Govt. Pleader for Panchayat, High Court Buildings, Hyderabad (OUT).

7. 2 CD copies.